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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:11-CR-194-LDG (CWH)
11 JAMES SHELBY,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on September 22, 2011, defendant JAMES SHELBY pled guilty to
15 Count One of a One-Count Criminal Information, charging him in Count One with Possession of
16 a Stolen Firearm, in violation of Title 18, United States Code, Section 922(j). Docket #26, #28, #29.

17 This Court finds defendant JAMES SHELBY, agreed to the forfeiture of the property set
18 forth in Forfeiture Allegation of the Criminal Information and agreed to in the Plea Memorandum.
19 #26, #28, #29.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
21 America has shown the requisite nexus between property set forth in the Forfeiture Allegation of
22 the Criminal Information and in the Plea Memorandum and the offense to which defendant JAMES
23 SHELBY pled guilty.

24 The following assets are subject to forfeiture pursuant to Title 18, United States Code,
25 Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

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- 1 a) a Llama .45 caliber, semi-automatic handgun, serial number BO9998;
2 b) a Ruger Mark I .22 caliber, semi-automatic handgun, serial number 13-23424; and
3 c) any and all ammunition (“property”).

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
9 of JAMES SHELBY in the aforementioned property is forfeited and is vested in the United States
10 of America and shall be safely held by the United States of America until further order of the Court.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
12 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
13 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
14 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
15 the name and contact information for the government attorney to be served with the petition,
16 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
18 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
20 shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the
21 following address at the time of filing:

22 Michael A. Humphreys
Assistant United States Attorney
23 Daniel D. Hollingsworth
Assistant United States Attorney
24 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
25 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 16 day of Nov, 2011.

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UNITED STATES DISTRICT JUDGE
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